FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.503 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr.N.R.Bubna for the petitioner.

Mr.S.S.Pednekar APP for the State.

Coram : R.S.Mohite,J

Date : 14.3.2006.

PC

1. This is a petition impugning the 2 orders of the lower authorities externing the petitioner from Nasik district for a period of 2 years. I have perused both the impugned orders. Initially show cause notice which was issued to the petitioner was on the basis of 2 offences registered against him. One offence was crime no.19/2002 registered by the Malegaon City police station for offences punishable under Sections 324,

323, 504, 506 r/w 34 of IPC. This case is still pending. The 2nd case was pertaining to C.R.No.14/2003 for offences punishable under Sections 307, 323, & 504 of IPC. This case has resulted in an acquittal on 13.1.2005 i.e. much after passing of the externment order on 29.9.2004. As can be seen from the externment order, during the pendency of the externment proceedings also, 4 additional crimes have been registered against the petitioner. Since these crimes were recorded after the show cause notice, the petitioner was asked to lead his evidence and the same was also taken into account. The petitioner has been externed in pursuance of the externment order dated 29.9.2004 and only about 6 months remain regarding his period of externment. It was sought to be contended that his mother is not well but no medical certificate is produced. In the

aforesaid circumstances, this is not a fit case to interfere in writ jurisdiction. Hence, petition is rejected.

(R.S.Mohite,J)